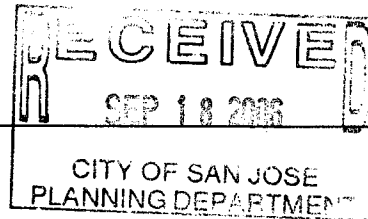


County of Santa Clara

Roads and Airports Department

101 Skyport Drive
San Jose, California 95110-1302
(408) 573-2400



September 12, 2006

Mr. Joseph Horwedel, Acting Director
City of San Jose
Planning, Building and Code Enforcement
200 East Santa Clara Street
San Jose, CA 95113

Subject: First Amendment to the Draft Environmental Impact Report (DEIR) for the Evergreen East Hills Vision Strategy Project-San Jose, California

Dear Mr. Horwedel,


The First Amendment to the DEIR for the subject project was received by our office on August 21, 2006. Our comments are as follows:

Roads and Airports is not in agreement with some of the City's responses to our comments regarding the Draft EIR (see Page 35 of the First Amendment).

- In connection with the City Response 7-B regarding the proposed transfer of Capitol Expressway from the County to the City, since the proposed transfer is not time specific, the impacted roadways and intersections should be mitigated.
- Also we are not in agreement with the response to Response 7-C regarding the use of statement of overriding.

Thank you for the opportunity to review and comment on this project.
If you have any questions, please contact me at 573-2464.

Sincerely,


Raluca Nitescu
Project Engineer

Cc: John Baty, City of San Jose
MA, SK, RC, WRL, FILE